IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE SEVENTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 16691 of 2004

Between:

Mannem Srinivasa Reddy, S/o Ram Reddy,
R/o 8 M/o Mattampally, Nalgonda District

..... PETITIONER

AND

1 The Registering Authority, Regional Transport Authority,
Nalgonda District at Nalgonda
2 The Asst.Motor Vehicle Inspector, Enforcement, Khammam

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or direction particularly one in the nature of a Writ of Mandamus, declaring the seizure of the petitioner's vehicle Tractor bearing Engine No.39.1331/02G04247, and chassis No.QATG31417008067, and Trailer bearing No.ADQ-7844 by the 2nd respondent seized under vehicle Check Report No.1785783, dated 24-2-2004 as illegal, arbitrary, unjust and consequently direct the respondents to release the vehicle of the petitioner forthwith.

Counsel for the Petitioner:MR.PRABHAKAR BOMMAGANI

Counsel for the Respondent No.: GP FOR TRANSPORT

The Court at the stage of admission made the following O R D E R:

The grievance of the petitioner is that the second respondent seized his tractor under check report dated 24-02-2004 on the ground that the tractor was plying without any documents of the vehicle and the driver was not having driving license.

Learned counsel for the petitioner submits that the petitioner is an agriculturist and due to drought, he could not get his tractor registered and while he was bringing his tractor from a mechanic shed, the same was seized.

After going through the records, it is noticed that no illegality has been committed by the second respondent in seizing the vehicle. It is for the petitioner to approach the first respondent with relevant documents or necessary representation for appropriate orders.

The writ petition cannot be maintainable, which is accordingly dismissed. No order as to costs.

17-09-2004

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To

1 The Registering Authority, Regional Transport Authority, Nalgonda District at Nalgonda
2 The Asst.Motor Vehicle Inspector, Enforcement, Khammam

3 Two C.Cs to the Government Pleader for Transport, High Court

of A.P., Hyderaabd (OUT)

4 Two C.D copies